

### REMARKS

This application has been carefully reviewed in light of the Office Action dated March 25, 2008. Claims 1 to 7, 9 to 12 and 14 to 16 are pending in the application, with Claim 8 having been cancelled without prejudice or disclaimer of subject matter and without conceding the correction of the rejection applied against it. Claim 1 is the only independent claim. Reconsideration and further examination are respectfully requested.

Claims 1 to 7, 15 and 16 were rejected under 35 U.S.C. § 103(a) over U.S. Patent 6,574,742 (Jamroga) in view of U.S. Publication No. 2002/0059236 (Satoh). Claims 8 to 12 were rejected under § 103(a) over Jamroga and Satoh in view of U.S. Patent No. 5,851,186 (Wood). Claim 14 was rejected under § 103(a) over Jamroga and Satoh in view of U.S. Publication No. 2005/0066165 (Peled). In response, Claim 8 has been cancelled without prejudice or disclaimer of subject matter and without conceding the correctness of the rejection, and part of the subject matter of Claim 8 has been incorporated into the independent claims. Accordingly, this should be viewed as a traversal of the rejection, and its withdrawal is respectfully requested as explained more fully below.

The present invention generally concerns access to digital medical image data. A payer and an individual other than the payer are authorized for access to digital medical image data generated by imaging facilities. The digital medical image data generated by the facilities is received using a gateway at each imaging facility, and the received digital medical image data is transmitted to a central server via a network.

According to one aspect of the invention, an uploaded medical report is linked to matching stored digital medical image data to form a study. In addition, demographic data associated with the study is received, including information on

associated facilities, physicians, and payers. According to another aspect of the invention, access to the study and the associated demographic information is forwarded to an individual other than the payer.

By virtue of this arrangement, it is ordinarily possible to provide a combined digital medical image and radiology report along with associated demographic information to someone other than the person or entity paying for the original access. For example, a medical insurance company can forward access to a study and associated demographic information to an attorney.

Referring specifically to claim language, independent Claim 1 is directed to a business method by which a payer and an individual other than the payer are authorized for access to digital medical image data generated by up to a plurality of imaging facilities. The business method includes receiving digital medical image data generated by the imaging facilities using a gateway at each imaging facility, and transmitting the received digital medical image data from the gateway to a central server via a network and storing the digital medical image data at the central server. The method further includes receiving an upload of radiology report on one of the stored digital medical image data, and linking the uploaded radiology report to a matching stored digital medical image data, so as to form a study comprised of stored digital medical image data and an associated radiology report. In addition, the method includes receiving demographic data associated with the study, including information on the associated facilities, physicians and payers, and providing the payer with access to the stored digital medical image data study and associated demographic data via an authorization process on the network for a fee. The method further includes forwarding access to the study and associated demographic data

stored digital medical image data to an individual other than the payer. Access is forwarded to the other individual by the payer and the other individual is thereafter provided with access to the stored digital medical image data study and associated demographic data via the authorization process on the network. The method also includes notifying the other individual that access to the study and associated demographic data has been forwarded to him, together with information on how to access the study and associated demographic data.

The applied art is not seen to disclose or suggest the features of the present invention, and in particular is not seen to disclose or suggest at least the features of forwarding access to a study comprised of stored digital medical image data and a radiology report along with demographic data associated with the study, wherein the demographic data includes information on the associated facilities, physicians and payers, and wherein access to the study and demographic data is forwarded to an individual other than the payer.

Page 7 of the Office Action asserts that Wood (Figure 1 and Column 2, line 60 to Column 3, line 42) discloses a report corresponding to digital medical image data generated by imaging facilities.

However, the cited portions of Wood simply disclose accessing diagnostic reports of ultrasound exams along with ultrasound images. Wood is not seen to specifically link an uploaded radiology report to a matching stored digital medical image data so as to form a study. Moreover, Wood is not seen to disclose or suggest demographic data associated with such a study including information on the associated facilities,

physicians and payers, or forwarding access to the study and the associated demographic information to an individual other than the payer.

Jamroga, Satoh and Peled have been reviewed and are not seen to remedy the above-noted deficiencies of Jamroga and Wood.

Therefore, independent Claim 1 is believed to be in condition for allowance, and such action is respectfully requested.

The other claims in the application are each dependent from independent Claim 1 and are therefore believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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